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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,935	01/02/2004	Philip S. Siegel	067439.0158	1902
5073	7590	11/18/2008	EXAMINER	
BAKER BOTTS L.L.P.			SHAAWAT, MUSSA A	
2001 ROSS AVENUE				
SUITE 600			ART UNIT	
DALLAS, TX 75201-2980			PAPER NUMBER	
			3627	
			NOTIFICATION DATE	
			DELIVERY MODE	
			11/18/2008	
			ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/750,935	Applicant(s) SIEGEL, PHILIP S.	
	Examiner MUSSA A. SHAAWAT	Art Unit 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7,9,11-15,17 and 19-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9,11-15,17 and 19-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/8/2008, 5/28/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This communication is in response to the amendment filed on 07/31/2008. Claims 1, 15, 17, and 19-21 have been amended. Claims 3, 8, 10, 16 and 18 have been previously cancelled. Claims 1-2, 4-7, 9, 11-15, 17, and 19-27 are pending examination.
2. IDS submitted on 07/08/2008 and 05/28/2008 have been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-7, 9, 11-15, 17, and 19-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Williams et al., US PG Pub. No. (2002/0032612 A1) referred to hereinafter as Williams.

As per claim 1, Williams teaches a method of using a computer system for on-line processing of merchandise returns for a plurality of merchants, comprising the steps of: storing a set of return rules in a database for each of the plurality of merchants (see at least Para 0237); receiving, via the Internet, a return request representing a request by a customer to initiate a return of at least one item of merchandise (see at least claim 22, Abstract); in response to receiving the return request from the customer, gathering

transaction history data associated with the customer from a computerized database (see at least claim 22, abstract); displaying the transaction history to the customer for selection of a particular item of merchandise within a listing of merchandise included in the transaction history (see at least Para 0243-0244); receiving, from a customer, an electronic selection by a click on the particular item of merchandise in the displayed listing of merchandise, the electronic selection identifying the particular item of merchandise for returns processing (see at least Para 0243-0244); in response to receiving the click on the particular item of merchandise in the listing of merchandise, using the set of return rules associated with the identified merchant and the transaction information to validate the return (see at least Para 0243-0244 and 0173); upon validating the return, electronically delivering data about the customer to the merchant associated with the return (see at least Para 0173-0176); processing the return in accordance with the set of return rules associated with the merchant (see at least Abstract, Para 0237).

As per claim 2, Williams teaches a method of claim 1, wherein the receiving step is performed via an Internet access tool associated with the customer, (see at least Para 0017).

As per claim 4, Williams teaches wherein the processing step is performed by determining if the return is valid (see at least Para 0173).

As per claim 5, Williams teaches notifying the customer, via the internet, whether the return is valid (see at least Para 0173).

As per claim 6, Williams teaches a method of claim 1, wherein the processing step is performed by determining disposition of the item, (see at least Para 0017).

As per claim 7, Williams teaches a method of claim 1, wherein the processing step is performed by determining a shipping destination of the item, (see at least Para 0294).

As per claim, 9, Williams teaches crediting an account of the customer (see at least Para 0532).

Claim 11: Arganbright teaches a method of claim 1, further comprising the step of providing a user interface to the customer, via an Internet access tool, wherein the user interface displays information associated with return of one or more items purchased by the customer, (see at least Para 0017, 0237).

As per claim 12, Williams teaches a method of claim 11, wherein the user interface displays a list of transactions associated with the customer, listing items for potential return by the customer, (see at least Para 0251).

As per claim 13, Williams teaches a method of claim 1, further comprising the step of downloading a return label to the customer via the Internet, (see at least Para 0412).

As per claim 14, Williams teaches a method of claim 1, further comprising the step of notifying a shipping agent of the return, (see at least Para 0294, 0010).

As per claim 25, Williams teaches a method of claim 24, wherein the system is further programmed to electronically provide the merchant with information about the customer, (see at least Para 0524-0525).

Claims 15, 17, 19-24, and 26-27, the limitations of claims 15, 17, 19-24, and 26-27 are similar to the limitations of claims 1 and 25, therefore claims 15, 17, 19-24, and 26-27 are rejected based on the same rationale.

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to form 892 for cited references.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUSSA A. SHAAWAT whose telephone number is (571)272-2945. The examiner can normally be reached on Mon-Fri (8am-5:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mussa A Shaawat/
Examiner, Art Unit 3627
November 10, 2008

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627